

CONSENT FOR ACCESS TO PROPERTY

Name/Location: Aquatic lands in the Port Washington Narrows vicinity (Property)

This Consent for Access to Property Agreement replaces the Consent for Access to Property Agreement issued November 10, 2010 and the Consent for Access to Property Agreement issued August 8, 2012.

On behalf of Washington State (State), the Washington State Department of Natural Resources (DNR), hereby gives consent and permission, to the extent of the possessory interest the State may have in the Property, and any appurtenances thereto, to the following persons: 1) officers, employees, agents, and authorized representatives of the Environmental Protection Agency (collectively, EPA) and 2) persons acting at the request of EPA, including officers, employees, agents, contractors, and authorized representatives of Cascade Natural Gas Corporation (Cascade).

This consent to enter the Property is given to those persons described above for the purpose of site investigation including sampling for hazardous substances, pollutants or contaminants, and/or conducting marine surveys. Such actions may include, but are not limited to:

A. The taking of such soil, surface water, groundwater, sediment, shellfish or other marine species, and air samples from the Property as may be determined to be necessary to complete the feasibility study and propose a final remedy.

B. All Applicable or Relevant and Appropriate Requirements (ARARs) short of a remedy implementation.

These actions authorized under this Consent for Access to Property are undertaken pursuant to the response and enforcement authorities contained in the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. § 9601, et seq., as amended, and the Federal Water Pollution Control Act (or the "Clean Water Act"), 33 U.S.C. § 1251 et seq., as amended.

DNR requests that sampling plans and reports provided to EPA for review be provided to DNR in a timely manner allowing an appropriate amount of time for DNR to comment. DNR requests that their comments be considered during the development of the Remedial Investigation and selection of remedies for the Property.

The Washington State Department of Natural Resources will require a use authorization for any remedial action taken on state-owned aquatic land; including but not limited to performing necessary emergency response activities, which may include the removal, consolidation and/or stabilization of hazardous substances that have been released into the environment or which present a substantial threat of release, permanent occupation of the Property by remaining contaminants and/or a final remedy such as but not limited to a cap.

Date: April 19, 2017

Signature: 

Title: DIVISION MANAGER